

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

JOHANZ X. SANTOS, ppa, DENISE)	C.A. NO.: 03-cv-12210-MAP
COLON, Individually, JESUS SANTOS,)	
Plaintiffs)	
)	
VS.)	
)	
BOB'S DISCOUNT FURNITURE,)	
REGENT HOME DELIVERY,)	
AGNILIZ ACOSTAS, RAUL SANTOS,)	
Defendants)	

COUNTERCLAIM

1. At all times pertinent Denise Colon was the mother of the minor Plaintiff, Johanz Santos.
2. At all times pertinent Jesus Santos was the father of the minor Plaintiff, Johanz Santos.
3. The parents of Johanz Santos owed him a duty to insure that his care, welfare and safety were protected.
4. Denise Colon was negligent in that she failed to supervise her child by letting him play on or about a busy public way without supervision thereby causing or contributing to the injuries allegedly suffered by the minor Plaintiff, Johanz Santos.
5. Jesus Santos was negligent in that she failed to supervise her child by letting him play on or about a busy public way without supervision thereby causing or contributing to the injuries allegedly suffered by the minor Plaintiff, Johanz Santos.

WHEREFORE, if this Defendant is found to be negligent it demands:

1. Judgment against Denise Colon for indemnification or contribution.
2. Judgment against Jesus Santos for indemnification or contribution.

THE COUNTERCLAIM PLAINTIFF,
BOB'S DISCOUNT FURNITURE
By Its Attorney

/s/ Richard F. Faille

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